

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 24-cr-127 (SRN/TNL)

Plaintiff,

v.

**THIRD AMENDED
ARRAIGNMENT NOTICE AND
SCHEDULING
ORDER**

Robelin David Marrero-Ubri,

Defendant.

This matter comes before the Court on Defendant Robelin David Marrero-Ubri's Motion to Extend Dates, ECF No. 27, and Motion to Exclude Time Under the Speedy Trial Act, ECF No. 28. Defendant has also filed a Statement of Facts in Support of Defendant's Motion to Exclude Time Under the Speedy Trial Act, ECF No. 29.

Defendant requests that the October 11, 2024 motions-filing deadline be extended to November 22, 2024, and all other concomitant dates as well as the arraignment be adjusted accordingly. ECF No. 27. Defendant states that his attorney recently received discovery from the Government and that needs to be thoroughly discussed with him prior to proceeding in this matter. *Id.*; *see also* ECF No. 29 at 1. The Government has no objection to the requested extension. ECF No. 27. Defendant also seeks an exclusion under the Speedy Trial Act. ECF No. 28; *see* ECF No. 29 at 1.

Pursuant to 18 U.S.C. § 3161(h), the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy

trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Extend Dates, ECF No. 27, is **GRANTED**.
2. Defendant's Motion to Exclude Time Under the Speedy Trial Act, ECF No. 28, is **GRANTED**.
3. The period of time from **the date of this Order through November 22, 2024**, shall be excluded from Speedy Trial Act computations in this case.
4. An arraignment hearing will be held before Magistrate Judge Tony N. Leung on **January 7, 2025, at 10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415.
5. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **November 22, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.
6. **Counsel shall electronically file a letter on or before November 22, 2024, if no motions will be filed and there is no need for a hearing.**
7. All responses to motions shall be filed by **December 6, 2024**. D. Minn. LR 12.1(c)(2).
8. Any Notice of Intent to Call Witnesses shall be filed by **December 6, 2024**. D. Minn. LR 12.1(c)(3)(A).

9. Any Responsive Notice of Intent to Call Witnesses shall be filed by **December 11, 2024**. D. Minn. LR 12.1(c)(3)(B).

10. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

11. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **January 7, 2025, at 10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

12. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Susan Richard Nelson to confirm the new trial date.**

Dated: October 11, 2024

/s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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